

Message Text

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ACTION STR-07

INFO OCT-01 EA-10 IO-13 ISO-00 STRE-00 AGRE-00 CEA-01
CIAE-00 COME-00 DODE-00 EB-08 FRB-03 H-01 INR-10
INT-05 L-03 LAB-04 NSAE-00 NSC-05 PA-01 CTME-00
AID-05 SS-15 ITC-01 TRSE-00 ICA-11 SP-02 SOE-02
OMB-01 DOE-15 XMB-02 AF-10 ARA-10 EUR-12 NEA-11
/169 W

-----129690 262102Z /20

P 261904Z MAY 78
FM USMISSION GENEVA
TO SECSTATE WASHDC PRIORITY 0181
INFO AMEMBASSY TOKYO

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USMTN

STR FOR ACTION

STR PASS CODEL

E.O. 11652: N/A
TAGS: MTN, ETRD, JA
SUBJECT: JAPANESE AUTOMATIC IMPORT LICENSING SYSTEMS
REF: (A) STATE 117343

1. PER INSTRUCTIONS REFTTEL, U.S. MTN DEL (WALLAR)
QUERIED JAPANESE REP (TAMORI) REGARDING JAPANESE AUTO-
MATIC IMPORT LICENSING (AIL) SYSTEMS. TAMORI RECAPPED
GOJ'S POSITION ON AIL AS FOLLOWS: AIL WHICH IMPEDES
IMPORTS SHOULD BE ABOLISHED; BUT AIL WHICH IS TRULY
AUTOMATIC NEED NOT BE ABOLISHED. HE EXPLAINED THAT
THE JAPANESE IMPORT DECLARATION SYSTEM IS TRULY
AUTOMATIC AND CONTENDED THAT IT WAS NOT USED FOR A
"PRE-SAFEGUARDS" PURPOSES. WHILE HE CONCEDED THAT THE
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SAME INFORMATION IS OBTAINABLE FROM CUSTOMS, TAMORI
STATED THAT INFORMATION UNDER THE IMPORT DECLARATION
SYSTEM IS GATHERED BEFORE CUSTOMS CLEARANCE OF MER-
CHANDISE. THUS, A SIGNIFICANT LEAD TIME IS REALIZED OVER
ACTUAL IMPORTATION. THIS ENABLES GOJ TO RELY ON THIS
INFORMATION AS A LEADING ECONOMIC INDICATOR GIVING
ADVANCE INDICATION OF IMPORT TRENDS. SUCH INFORMATION,

ACCORDING TO TAMORI, PLAYS AN IMPORTANT ROLE IN GENERAL ECONOMIC POLICY PLANNING IN JAPAN.

2. THE GENERAL DESCRIPTION OF THE PRIOR CERTIFICATION SYSTEM CONTAINED IN REFTEL WAS CONFIRMED BY TAMORI, BUT HE NOTED THAT TOO MUCH EMPHASIS IS PLACED ON THE SURVEILLANCE POTENTIAL OF THE SYSTEM. ACCORDING TO TAMORI, THE SYSTEM IS BASICALLY DESIGNED TO ADMINISTER QUANTITATIVE RESTRICTIONS, ENFORCE THE EMBARGO ON SOUTH AFRICAN IMPORTS, AND SCRUTINIZE TRANSACTIONS WHERE NO PAYMENT TRANSFER OCCURS TO ENSURE THAT CAPITAL FLOW REGULATIONS ARE BEING RESPECTED. IN ADDITION, MITI POSSESSES THE AUTHORITY TO USE THE SYSTEM TO SURVEY PARTICULAR IMPORTS. U.S. DEL OBSERVED THAT THE FIRST THREE OF THESE PRACTICES APPEAR TO FALL WITHIN THE CONTEXT OF A LICENSING SYSTEM TO ADMINISTER IMPORT RESTRICTIONS RATHER THAN AIL. TAMORI WAS UNABLE TO RESPOND TO THIS QUESTION BUT SAID THAT THE TWO SYSTEMS ARE NEEDED SINCE INFORMATION GATHERED UNDER EACH IS DIFFERENT. THE IMPORT DECLARATION SYSTEM IS CONCERNED PRIMARILY WITH THE VALUE OF TRANSACTIONS, WHILE THE PRIOR CERTIFICATION SYSTEM FOCUSES ON THE TYPE OF TRANSACTION AND/OR QUANTITY OF IMPORTS.

3. IN DISCUSSION OF THE U.S. POSITION ON AIL, TAMORI NOTED THAT "PRE-SAFEGUARD", WHILE IN PRACTICAL TERMS COULD MEAN THE SAME AS "SURVEILLANCE", GAVE THE CONNOTATION LIMITED OFFICIAL USE

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THAT A SAFEGUARD MEASURE WOULD FOLLOW. THIS MAY NOT NECESSARILY BE THE CASE. TAMORI SUGGESTED THAT AS A POSSIBLE COMPROMISE BETWEEN GOJ POSITION NOT OPPOSING TRULY AUTOMATIC AIL AND USG WILLINGNESS TO DISCUSS AIL FOR SAFEGUARDS RELATED PURPOSES, AIL USED FOR SAFEGUARDS PURPOSES WOULD BE HANDLED UNDER THE SAFEGUARDS CODE. THIS HAVING BEEN SAID, TAMORI ARGUED THAT NO AGREEMENT ON LICENSING SHOULD PROHIBIT THE IMPORT DECLARATION SYSTEM OR PRIOR CERTIFICATION SYSTEM. U.S. DEL RECALLED THAT SAFEGUARD TEXT SUBJECT TO INFORMAL DISCUSSION NOTED POSSIBILITY FOR SUCH TREATMENT OF AIL. GIVEN TAMORI'S CONCLUDING REMARK, U.S. DEL QUESTIONED WHETHER HE WAS IN FACT SUGGESTING A COMPROMISE. UNDER TAMORI'S INTERPRETATION, U.S. DEL NOTED THAT THE JAPANESE LICENSING SYSTEMS WOULD CONTINUE TO EXIST, SINCE GOJ REGARDS THEM OUTSIDE A SAFEGUARDS CONTEXT, AND NOT SUBJECT TO ANY INTERNATIONAL DISCIPLINE ON LICENSING.

4. DRAFTED BY WALLAR. MCDONALD

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: IMPORTS, POLICIES, LICENSES
Control Number: n/a
Copy: SINGLE
Draft Date: 26 may 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978GENEVA08162
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780223-0732
Format: TEL
From: GENEVA USMTN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780515/aaaaamph.tel
Line Count: 113
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 82eab695-c288-dd11-92da-001cc4696bcc
Office: ACTION STR
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 78 STATE 117343
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 05 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2555012
Secure: OPEN
Status: NATIVE
Subject: JAPANESE AUTOMATIC IMPORT LICENSING SYSTEMS
TAGS: ETRD, JA, MTN
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/82eab695-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014